HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.14087 of 1998

Dated 3rd day of April, 2007

Between:

Vadapalli Appanna
and twelve others ..
Petitioners

And

The District Collector,
Visakhapatnam
and two others ..
Respondents

O R D E R:

This writ petition is filed seeking a mandamus to declare the action of the respondents in trying to dispossess the petitioners from their houses in S.No.64/1-D situated in Pedagantyada village, as arbitrary and illegal.

The brief facts of the case are that the petitioners are in occupation of small extents of lands ranging from Ac.00.03 cents to Ac.00.06 cents in S.No.64/1D situated in Pedagantyada village, Visakhapatnam District, wherein they constructed thatched sheds and have been in possession and enjoyment of them for a long time. Originally, this land belonged to the Revenue Department, and subsequently it was alienated to Visakhapatnam Steel Plant. The petitioners filed applications before the 2nd and 3rd respondents for grant of pattas and the same are pending. Now, the petitioners' grievance is that the subordinates of the 2nd respondent are threatening to dispossess them and demolish their houses.

Having heard the learned counsel for both the parties and perused the material placed on record, this Court is of the view that the petitioners, on a mere apprehension that the respondents-authorities may dispossess them, filed this writ petition, and this Court, while ordering Rule Nisi, directed the respondents not to dispossess the petitioners from their lands.

As observed above that it is only a mere apprehension of the petitioners, this Court deems it appropriate to direct the respondents-authorities not to dispossess the petitioners from the lands under their

occupation without following due process of law.

With the above direction, this writ petition is disposed of. No costs.

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03.04.2007

bcj